

REMARKS

The Examiner rejected claim 70 under 35 U.S.C. § 103(a) as being unpatentable over Beason in view of Pihl (U.S. Patent No. 6,625,458 – hereinafter Pihl '458). Claim 70 is directed to a GPS capable mobile terminal that generates GPS assistance data from GPS signaling data it receives from a satellite. The generated GPS assistance data is then transmitted to other remote mobile terminals via a wireless communications network to assist those remote mobile terminals, which may be in a position unfavorable to GPS signal reception, in determining their own location. The Examiner never asserts that Beason teaches or suggests a mobile terminal that generates GPS assistance data from received satellite signals for transmission to, and use by, a remote mobile terminal. This is because Beason does not teach or suggest this element of the claimed invention. However, in an attempt to remedy the Beason deficiency, the Examiner asserts that Pihl '458 does. Applicant respectfully disagrees.

Pihl '458 discloses a Network Assisted Mobile Terminal GPS (NAMT-GPS) system that transmits GPS assistance data to mobile terminals using a point-to-point signaling protocol. However, Pihl '458 is not concerned with how or where the GPS assistance data is generated. "For the purposes of the teachings of this invention, it is not important where in the network 32 the GPS Assistance Data 34 originates or resides." Pihl '458, col. 3, ll. 30-32 (emphasis added). Pihl '458 is focused only with how to transmit GPS assistance data in a manner that alleviates the capacity demands placed on certain network channels. Pihl '458, col. 1, ll. 53-60. Therefore, Pihl '458 is satisfied with disclosing that GPS assistance data is generated at the network – as is conventional. *E.g.*, Pihl '458, col. 3, ll. 24-33. Even the passage cited by the Examiner to support the rejection (Pihl '458, col. 4, ll. 53-56) says nothing about mobile terminals generating GPS assistance data for use by another remote mobile terminal. This passage says only that the network examines bits in messages sent by the mobile terminal to determine the GPS capabilities of the mobile terminal.

Alleviating demands on the network's forward link channel capacity is unrelated to the claimed invention of one mobile terminal generating GPS assistance data from GPS satellite signals it receives for transmission to other mobile terminals. As such, neither reference teaches or suggests, alone or in combination, that a mobile terminal generates GPS assistance data from received GPS signals for another mobile terminal, and the §103 rejection fails as a matter of law.

The §103 rejection fails for at least one additional reason. Specifically, the Examiner has not put forth a *legally sufficient* reason to combine the references. In the Office Action, the Examiner asserts that it would be obvious to combine Pihl '458 with Beason "in order to allow the use of point-to-point signaling for transmitting GPS assistance data ... without requiring a point-to-multipoint broadcast channel ... as taught by Pihl." This alleged motivation is no more than a conclusory statement by the examiner, and is contradicted by the cited references. Specifically, Pihl '458 already teaches what the Examiner asserts that the alleged combination would teach. One skilled in the art would not be motivated to combine two references to obtain a teaching that is already provided by one of the references alone. Therefore, because one skilled in the art would not have been motivated to combine the references, the § 103 rejection fails as a matter of law.

The Examiner also rejected claims 84 and 106 under §103 citing the same references and similar reasons to those cited above. Claims 84 and 106 are directed at mobile terminals that receive GPS assistance data that has been generated by a remote mobile terminal from GPS signals received by the remote mobile terminal. For reasons similar to those stated above, Beason and Pihl '458 fail to teach or suggest, alone or in combination, claims 84 and 106.

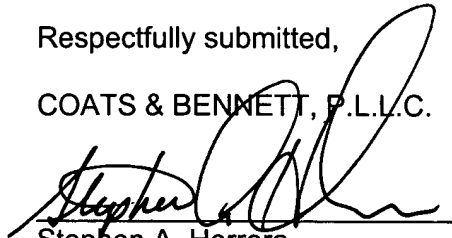
The Examiner also rejected claim 92 under 35 U.S.C. §103(a) over Pihl (U.S. Patent No. 6, 397, 074) in view of Honda. Claim 92 also calls out that a mobile terminal generates GPS assistance data from received GPS satellite signals for use by remote mobile terminals. However, Applicant notes that Pihl '074 is the parent application of Pihl '458 (cited above with

respect to claim 70), and contains the same teachings as Pihl '458. As an example, Applicant directs the Examiner's attention to column 3 of Pihl '074, lines 26-34. Thus, for reasons similar to those stated above, Pihl '074 does not teach or suggest that a mobile terminal generates GPS assistance data, and therefore fails to teach or suggest claim 92. Honda fails to remedy this deficiency, and the Examiner never asserts that it does. Accordingly, neither Pihl '074 nor Honda, teach or suggest, alone or in combination, claim 92.

In light of the foregoing remarks, Applicants respectfully request the allowance of all pending claims 70-113.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Stephen A. Herrera", is written over a horizontal line.

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